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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/032,245	12/21/2001	Christen K. Pedersen	100110550	6661

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EXAMINER

REILLY, SEAN M

ART UNIT

PAPER NUMBER

2153

DATE MAILED: 09/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/032,245	Applicant(s) PEDERSEN, CHRISTEN K.	
	Examiner Sean Reilly	Art Unit 2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This Office action is in response to Applicant's amendment and request for reconsideration filed on 6/17/05. Claims 1-36 are presented for further examination. Independent claims 1, 11, 19, and 29 have been amended.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1, 5-20 and 22-36 are rejected under 35 U.S.C. 102(e) as being anticipated by Blight et al. (U.S. Patent 6,785,542; hereinafter Blight).
2. Regarding claim 1, Blight discloses a communication system comprising:
 - a communication network (Figure 6); and
 - a plurality of electronic devices coupled to said communication network (Figure 6, e.g. 100d, 235a, 235b), each of said plurality of electronic devices including a selector for initiating a user initiated communication interface (resource proxy) that presents to said user (e.g. HTML page of available resources, Col 14, lines 56-65) network connectivity information (Col 10, lines 39-60) specific to an associated electronic device implementing said communication interface (location based resources available to that mobile device, Col 10, lines 22-33), where said network connectivity

information is necessary for establishing communication paths (e.g. a URL, see inter alia, Col 9, lines 58-62, Col 10, lines 65-68 or Col 14, 61-63) to other electronic devices coupled to said communication network (Col 3, lines 10-21).

3. Regarding claim 11, Blight discloses a method of connection comprising:

- providing a communication interface (resource proxy) on an electronic device coupled to a communication network that when initiated by a user provides to said user (e.g. HTML page of available resources, Col 14, lines 56-65) pertinent network connectivity information (e.g. a URL, see inter alia, Col 9, lines 58-62, Col 10, lines 65-68 or Col 14, 61-63) specific to said electronic device (location based resources available to that mobile device, Col 10, lines 22-33) necessary for establishing communication paths with other devices coupled to said communication network (Col 3, lines 10-21).

4. Regarding claim 19, Blight discloses a method of connection comprising:

- a) at a first electronic device, acknowledging the initiation of a communication interface by a user, said first electronic device coupled to a communication network (Col 16, lines 53-57);
- b) providing to said user (e.g. HTML page of available resources, Col 14, lines 56-65) network connectivity information for said first electronic device, said network connectivity information necessary for establishing communication paths to other electronic devices coupled to said communication network (Col 14, lines 61-65; Col 15, lines 7-9).

5. Regarding claim 29, Blight discloses a computer system comprising:

- a processor (inherent); and
- a computer readable memory coupled to said processor and containing program instructions that, when executed, implement a method of connection comprising (inherent):
- providing a communication interface on an electronic device coupled to a communication network that when initiated by a user provides to said user (e.g. HTML page of available resources, Col 14, lines 56-65) pertinent network connectivity information specific to said electronic device (location based resources available to that mobile device, Col 10, lines 22-33) necessary for establishing communication paths with other devices coupled to said communication network (Col 3, lines 10-21).

6. Regarding claim 5, Blight discloses one of said plurality of electronic devices is a mobile device (Col 3, line 11).

7. Regarding claim 6, Blight discloses one of said plurality of electronic devices is a personal digital assistant (PDA) (Col 2, line 49).

8. Regarding claims 7 and 22-23, Blight discloses the communication system wherein said selector is a button (Button – Col 6, lines 17-20; for selection - Col 14, lines 61-65 and Col 15, lines 7-9).

9. Regarding claims 8 and 24, Blight discloses said selector is a software enabled selector located on a display of associated electronic devices (Col 14, lines 61-65; Col 15, lines 7-9).

Art Unit: 2153

10. Regarding claim 9, Blight discloses each of said plurality of electronic devices comprise a graphical user interface (Col 6, line 6) for assisting users to establish said communication paths over said communication network (Col 14, lines 61-65; Col 15, lines 7-9).

11. Regarding claim 10, Blight discloses said communication network is a wide area network (Col 9, lines 4-11).

12. Regarding claims 12 and 30, Blight discloses the method of connection as described in claim 11, further comprising:

- providing said communication interface universally on a plurality of electronic devices coupled to said communication network (Col 10, lines 16-19); and
- providing pertinent network connectivity information for electronic devices upon initiating their respective communication interfaces for establishing said communication paths with other devices coupled to said communication network (Col 14, lines 61-65).

13. Regarding claims 13 and 31, Blight discloses automatically establishing a communication path between a first and second electronic device when their associated first and second communication interfaces, respectively, have been initiated under a condition (Selecting to make such a connection Col 15, lines 7-9 and inherently accepting the connection on the other end).

14. Regarding claims 14 and 32, Blight discloses said condition is initiating said first and second communication interfaces within a period of time. It is inherent that such a connection establishment must occur in a given time period.

15. Regarding claims 15 and 33, Blight discloses said condition is initiating said first and second communication interfaces within a geographical location (Col 8, line 64 – Col 9, line 1).

16. Regarding claims 16 and 34, Blight discloses said network connectivity information is a device identification (ID) (Col 10, lines 52-53).
17. Regarding claims 17, 25, and 35 Blight discloses assisting said user of said electronic device through a graphical user interface to establish a communication path between said electronic device and a second electronic device chosen by said user, said second electronic device located on said communication network (Col 14, lines 61-65; Col 15, lines 7-9).
18. Regarding claims 18, 26, and 36, Blight discloses providing a set of possible connections to other known devices located on said communication network for selection by said user (Col 14, lines 61-65; Col 15, lines 7-9).
19. Regarding claim 20, Blight discloses providing said network connectivity information on a display of said electronic device (Col 14, lines 61-65).
20. Regarding claim 27, Blight discloses prompting said user of said electronic device for other network connectivity information from said second electronic device obtained by initiating a second communication interface at said second electronic device (Col 16, lines 37-52).
21. Regarding claim 28, Blight discloses said network connectivity information is an internet protocol (IP) address (Col 16, line 67).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

22. Claims 2-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blight et al. (U.S. Patent 6,785,542; hereinafter Blight) as applied above, and further in view of Gaucher (U.S. Patent Number 6,175,860).

23. Regarding claim 2, Blight discloses a communication interface for monitoring initiations of said communication interfaces by said plurality of electronic devices (Col 3, lines 10-21), and for establishing a communication path automatically between a first and second electronic device of said plurality of electronic devices when their associated first and second communication interfaces, respectively, have been initiated under a condition (Col 14, lines 61-65; Selecting to make such a connection Col 15, lines 7-9 and accepting the connection on the other end). While Blight discloses the communication interface (resource proxy) of a given device centrally monitors initiations of said communication interfaces by said plurality of electronic devices, the monitoring communication interface functionality is not central (ie. one central server does not exist for monitoring all the devices; instead each electronic device monitors the entire network on its own). Nevertheless, centrally monitoring initiations of communication interfaces within a given network was well known in the art at the time of invention, as evidenced by Gaucher. In a related art, Gaucher discloses a central server (master computer) (Col 2, lines 49-56), which monitors initiations of communication interfaces (appliance boxes) (Col 3, lines 24-27). It would have been obvious to one of ordinary skill in the art at the time of invention to modify the system of Blight to use a central server for monitoring initiations of communication interfaces, as disclosed by Gaucher, since such a scheme is simple in setup, operation and cost (Gaucher Col 2, lines 18-19).

Art Unit: 2153

24. Regarding claims 3-4, the limitations of claims 3 and 4 are similarly drawn to the limitations of claims 14 and 15, respectfully, thus they are rejected using similar rational.

25. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Blight et al. (U.S. Patent 6,785,542; hereinafter Blight).

26. Regarding claim 19, as discussed above Blight discloses providing network connectivity information for said first electronic device, said network connectivity information necessary for establishing communication paths to other electronic devices coupled to said communication network (Col 14, lines 61-65; Col 15, lines 7-9). Blight further discloses providing such information in the form of a webpage (Col 14, lines 56-65). The Examiner takes Official Notice that it was well known in the art at the time of invention to print webpages, thereby generating a hard copy of the webpage. It would have been obvious to one of ordinary skill in the art at the time of invention to print the network connectivity information generated in webpage form by Blight's system in order to allow the connectivity information to be viewed without the use of an electronic device.

Response to Arguments

27. In response to Applicant's request for reconsideration filed on 6/17/05, the following factual arguments are noted:

- a. Blight failed to disclose presenting connectivity information to a user.
- b. Blight failed to disclose presenting connectivity information specific to the electronic device.

In considering (a), Examiner respectfully disagrees with Applicant's argument. Blight clearly disclosed presenting connectivity information to user, for example Blight lists connectivity information to a user in the form of web page listing available resources (Col 14, lines 56-65).

In considering (b), Examiner respectfully disagrees with Applicant's argument. Blight clearly disclosed presenting connectivity information *specific to the electronic device*, for example Blight lists connectivity information for resources only available to that specific electronic device (e.g. in close proximity) (see inter alia Col 8, line 65 – Col 9, line 3, Col 10, lines 22-33).

Conclusion

28. The prior art made of record, in PTO-892 form, and not relied upon is considered pertinent to applicant's disclosure.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sean Reilly whose telephone number is 571-272-4228. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached on 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


8/25/05



Dung C. Dinh
Primary Examiner